THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.8900 OF 2006

DATED 23rd JANUARY, 2007

BETWEEN:

Smt C.Prathiba

… Petitioner

AND

The Deputy Commissioner, Endowments Department,
Hyderabad and another.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8900 OF 2006

ORDER:

The petitioner is statedly a Member of founder of Sri Dayananda Mahila Ashram Trust, Chikkadpalli. The Trust filed applications before the first for eviction of M/s.V.G.K.Murthy, Y.Prasad and K.S.Subba Rao, who were in occupation of the Trust's property. The first respondent appears to have passed an Order under Section 76 of A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1966 (the Old Act, for brevity). The same was assailed in writ petition being W.P.No.18267 of 1988. A Division Bench of this Court dismissed the writ petition on 25.09.1996. In spite of the same, the respondents did not evict the illegal occupations of the temple property. Therefore, the present writ petition is filed seeking a direction to respondents to take necessary action under the provisions of Section 83 of A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987.

When the matter came up on 24.07.2006, the matter was adjourned directing the third respondent to file a counter affidavit. No counter affidavit is filed. Therefore, the writ petition is disposed of directing the respondents 1 and 2 to take necessary action against those persons who are still in occupation of the properties of Sri Dayananda Mahila Ashram Trust in accordance with law.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

23.01.2007.
pln